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FORM**

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Total Number of Pages in This Submission

Application Number 10/697,328

Filing Date 10/31/2003

First Named Inventor Brotherton

Art Unit 3683

Examiner Name Douglas C. Butler

Attorney Docket Number 6251

ENCLOSURES (Check all that apply)

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Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Edward J. Brosius		
Signature			
Printed name	Edward J. Brosius		
Date	09/23/2004	Reg. No.	28,695

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1FW

AMSTED CASE NO. 6251-Brotherton et al.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Joseph A. Brotherton
Serial No.: 10/697,328
Filed: October 31, 2003
For: Brake Drum Balancing

) Group Art Unit: 3683
)
) Examiner: Butler, Douglas C.
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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 23, 2004
Applicant's Attorney: Edward J. Brosius

Signature: *Edward J. Brosius*
Date: 9.23.04

AMENDMENT

Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Office Action dated July 20, 2004, please enter the following amendment.

REMARKS

The Examiner has relied on U.S. Patent Nos. 6,321,886, Hester et al., in rejecting claims 1-16 as unpatentable under 35 USC 103 (a). Alternatively, the Examiner has rejected claims 1-16 under 35 USC 103 (a) as unpatentable over Hester, in view of Carmel et al., US Patent No. 3,889,786 or Wakisaka et al., US Patent No. 6,253,883 or Koike et al., US Patent Publication 2004/0026189.

Hester et al. discloses a cast metal brake drum having a raised squealer band. The drum is balanced by a constant depth cut to remove material from the squealer band. There is no disclosure in Hester et al. of any other design or depth of cut. The Examiner has stated that it would have been obvious to modify Hester et al. to remove material from the squealer band to obtain a continuously variable thickness. There is no basis or teaching